

### REMARKS

The present request is submitted in response to the final Office Action dated March 28, 2005, which set a three-month period for response, making this amendment due by June 28, 2005.

Claims 1-3, 9, and 11-15 are pending in this application.

In the final Office Action, claims 1-4, 9, and 11-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,157,673 to Bruno. Claims 3-4 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bruno in view of U.S. Patent No. 5,331,876 to Hayden or U.S. Patent No. 2,994,350 to Lundberg. Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bruno in view of Hayden or Lundberg and further in view of U.S. Patent No. 3,292,674 to Turner.

The Applicants note with appreciation the allowance of claims 11-15.

In the present request, claims 1 and 11-15 were amended to provide antecedent basis for the term "the lower edge".

Claim 1 has been amended further to add the limitations of claim 4, which has been canceled. The Applicants respectfully submit that amended claim 1 defines a patentably distinct set of features neither disclosed nor suggested by the cited reference combination.

Bruno does not disclose a tooth-system created by removing material from only one or the other side, NOT from both sides, which is the key point of the

present invention. This feature of the present invention provides a much easier grinding process, as well as a much easier and sturdier transposing of the teeth after grinding just by bending.

In contrast, Bruno does not transpose any of the teeth in the sense of the present invention. Each of the Bruno teeth is ground with a taper on both sides (see Bruno, column 3, from line 43), which is much more expensive than the one-sided system of the present invention. As the present invention proposes, the transposing is achieved by bending the tooth about the longitudinal axis of the saw blade, not by grinding, etc.

The Hayden and Lundberg references, cited in combination with Bruno, each disclose a similar grinding method as that of Bruno: in both Hayden and Lundberg, the teeth are ground just at the top of the teeth and at the two sides of any of the teeth. Again, this is a much more expensive method than the "bending" of the teeth as provided with the present invention.

The Applicants therefore submit that amended claim 1 is patentable over the cited references. The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification. *In re Fritch*, 23 USPQ 2d 1780, 1783-84 (Fed. Cir. 1992).

Further, it is respectfully submitted that since the prior art does not suggest the desirability of the claimed invention, such art cannot establish a prima facie case of obviousness as clearly set forth in MPEP section 2143.01.

For these reasons, it is respectfully submitted that claims 1-3, 9, and 11-15 all stand in condition for allowance. As such, the Applicants respectfully request withdrawal of the final rejection under 35 U.S.C. 102 and 103 and reconsideration of the claims as herein amended.

Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,



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